

Attachment #1 Sample Resolution

BEFORE THE BOARD OF DIRECTORS
OF THE _____ DISTRICT

RESOLUTION 2007 - _____

Resolution of the Board of directors of the _____ District requesting the Local Agency Formation Commission of Modoc County to take proceedings for the annexation for the _____.

Resolved by the Board of Directors of the _____ District that

WHEREAS, the _____ District desires to initiate proceedings pursuant to the Cortese-Knox Local Government Reorganization Act of 2000, commencing with Section 56000 of the California Government Code, for the annexation: and

WHEREAS, notice of intent to adopt this resolution of application has not been given to each interested and subject agency; and

WHEREAS, the territory proposed to be annexed is inhabited and a map description of the boundaries of the property is set forth in Exhibits A and B attached hereto and by this reference incorporated herein; and

WHEREAS, this proposal is consistent with the sphere of influence of the _____ District; and

WHEREAS, it is desired to provide that the proposed annexation be subject to the following terms and conditions:

1. All costs incurred to complete the annexation including but not limited to Modoc LAFCO and the State Board of Equalization will be born by the property owner(s) and (or) district.
2. All impact mitigation fees will be applied to any construction on this property after the completion of the annexation.

WHEREAS, the reasons for the proposed annexation are as follows;

1. The annexation of _____ will allow the _____ District to provide enhanced _____ services to an inhabited area that has no other means of acquiring such services. The cost of _____ will be covered by the existing tax formula.

WHEREAS, the Board of the _____ District has made an environmental determination for this project and finds that _____; and

WHEREAS, this Board certifies that, pursuant to Section 56663 of the Government Code: Due to the fact that the property in question is currently inhabited, the property is controlled by multiple owners have consented in writing, the Board of the _____ District wishes to waive the notice and hearing and (or) election.

WHEREAS, A plan for services is attached as Exhibit C, as required in Government Code Section 56653.

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WHEREAS, A proposal justification statement is attached as Exhibit D.

Now, therefore, this Resolution of Application hereby adopted and approved by the Board of Directors of the _____ District and the Local Agency Formation Commission of Modoc County is hereby requested to take proceedings for the property owned by _____ as listed in Exhibit A according to the terms and conditions stated above and in the manner provided by the Cortese-Knox Local Government Reorganization Act of 2000.

PASSED AND ADOPTED by the Board of Directors as a Resolution of the _____ District at a regular Board Meeting held on the ____ day of _____, 200____ by the following vote:

AYES: _____
(name)

(name)

(name)

(name)

(name)

NOES: _____

ABSENT: _____

ABSTAIN: _____

ATTESTED: _____
(name & title)

DATED: _____

(Note: Required contents of the actual adopted resolution submitted to LAFCO may also have include specific requirements stated in the principal forming act.)